

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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MASPETH FED. SAVINGS AND
LOAN ASSOCIATION,
Plaintiff,

-against-

BENJAMIN HIRSCH, et al.,
Defendants.
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UNITED STATES OF AMERICA
Intervenor-Plaintiff,

-against-

BENJAMIN HIRSCH, et al.,
Intervenor-Defendants.
-----X

ORDER

09 CV 0817 (RJD) (MDG)

DEARIE, District Judge.

By Report and Recommendation submitted October 13, 2011, Magistrate Judge Go recommends granting the United States’ request for an order directing the intervenor-defendant Torah Academy of Brooklyn (the “Torah Academy”) to vacate the premises at 1450 Ocean Avenue and pay the balance of back-rent owed. In addition, Magistrate Judge Go directs the United States to supplement its submissions to document the amount of back-rent due.

By letter dated October 31, 2011, Torah Academy objects to the extent that Magistrate Judge Go recommends that Torah Academy vacate the premises within 75 days after the date of the Report and Recommendation or 45 days after the Court’s adoption of the Report and Recommendation, whichever occurs later. In support, Torah Academy submits a Declaration of Rabbi Moshe Rubin attesting to the existence of two pending offers to purchase the premises from buyers that would allow Torah Academy to remain as a tenant.

Upon de novo review, the Court adopts Magistrate Judge Go's Report and Recommendation in its entirety. See 28 U.S.C. § 636 (b)(1). The Court declines to grant Torah Academy an extension of the deadline to vacate on the basis of pending offers. Torah Academy may reapply for relief from the deadline upon submission of a signed contract of sale.

SO ORDERED.

Dated: Brooklyn, New York
November 8, 2011

s/RJD

RAYMOND J. DEARIE
United States District Judge